



Memorandum

Date: April 23, 1999

To: CALFED Policy Group

From: Lester A. Snow

Subject: CALFED Draft Programmatic EIS/EIR Release Procedures

We are rapidly approaching the release of the CALFED Bay-Delta Program's Revised Draft Programmatic EIS/EIR. The purpose of this memorandum is to alert each state and federal agency to the proposed process for securing agency approval for the release of the document, preparation of appropriate notices and distribution of the document.

1. Signing the Draft EIS/EIR

Consistent with procedures incorporated for the release of the previous draft environmental document, I propose that the current draft be signed by the co-chairs of the CALFED Policy Group and the Program Director. It was agreed last time, and seems equally valid now, that obtaining every state and federal signature would not be feasible under the time constraints.

2. State Lead Agency Compliance

Consistent with the previous draft release, state agency approval will be indicated by signature of the Secretary for Resources. Coordination and time requirements for review by the Secretary should be specified now.

3. Co-lead Federal Agency Compliance

The co-lead federal agencies (Bureau of Reclamation, U.S. Fish and Wildlife Service, National Marine Fisheries Service, U.S. Environmental Protection Agency, Natural Resources Conservation Service, and U.S. Army Corps of Engineers) must make sure that they follow their normal procedures for authorizing the release of a draft EIS. For example, if your agency generally briefs the Regional Director for the purpose of obtaining approval, that process must be completed.

CALFED Agencies

California
The Resources Agency
Department of Fish and Game
Department of Water Resources
California Environmental Protection Agency
State Water Resources Control Board

Federal
Environmental Protection Agency
Department of the Interior
Fish and Wildlife Service
Bureau of Reclamation
U.S. Army Corps of Engineers

Department of Agriculture
Natural Resources Conservation Service
Department of Commerce
National Marine Fisheries Service

With the previous release, Club FED coordinated federal co-lead approval. If this is agreeable, we will work with Alf Brandt as the federal coordinator to obtain the authorization from each federal co-lead agency for release.

4. Procedures for Filing and Distribution of the EIS/EIR

Filing and distribution of the draft EIS/EIR will involve a variety of actions. Efforts and suggested approaches follow. We would appreciate any comments or suggestions.

Filing Notice of Availability of Draft EIS/EIR and Notice of Public Hearings

- Propose to work with all agencies in drafting Notice of Availability/Public Hearings.
- Propose to follow Reclamation's format for Notice of Availability/Public Hearings.
- Propose to follow Reclamation's Federal Register Notice Process.
- Propose to prepare the State's Public Notice of Draft's Availability and distribute the Notice following CEQA guidance.
- Propose to work with agency public affairs offices on news release(s).

Filing the Draft with EPA/OPR

- Propose to follow Reclamation's Process for filing EIS's with EPA and CEQ.
- Propose to submit the Notice of Completion and Draft Programmatic EIS/EIR to the State Clearinghouse.

Distributing to Public

- Propose to work with all agencies in preparing letter transmitting Notice of Availability and copies of the draft EIS/EIR to the public.

I have asked Marian Moe to coordinate the lead agency signature/authorization for release process. Alf Brandt and the Secretary for Resources coordinator should contact Marian as soon as possible at (916) 322-5460. If you have any questions or concerns about the procedures outlined above, please contact Rick Breitenbach at (916) 657-2666.